

#7



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PATENT APPLICATION OF: Delisle et al

Our File: 10-336 US

Serial No: 09/838,137

Group: 1874

Filed: 04/20/01

Examiner: Sung Pak

For: Method and Apparatus for Reducing the Wavelength Dependency  
of an Integrated Optical Filter

June 5, 2003

**Mail Stop Petition**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

*Eileen Woodard*  
*613-843-3000*  
*x5784*

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

The above-identified application became abandoned for failure to respond to an Office Action dated July 8, 2002.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee – required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Adequate showing of the cause of unavoidable delay.

**RECEIVED**

JUN 17 2003

OFFICE OF PETITIONS

1. Petition fee

☐ Small entity-fee \$\_\_\_\_\_ (37 CFR 1.17(i)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity – fee \$110.00 – (37 CFR 1.17(i))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of a written response  
(identify type of reply):

☐ has been filed previously on \_\_\_\_\_.

☒ is enclosed herewith.

The issue fee of \$\_\_\_\_\_

☐ has been paid previously on \_\_\_\_\_.

☐ is enclosed herewith (authorization for deposit account use)

2. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. An adequate showing of the cause of the delay, and that the delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.

June 5, 2003

Date:



Signature:

Telephone Number:  
(613) 843 3000 (Ext 5784)

Neil Teitelbaum  
Typed or printed name

Address:  
3000 Merivale Road, Ottawa, Ontario, Canada, K2G

Enclosures: ☒ Fee Payment  
☒ Reply  
☐ Terminal Disclaimer Form  
☒ Additional sheets containing statements establishing unavoidable delay  
☐ Other: \_\_\_\_\_

Respectfully submitted,



Neil Teitelbaum

Encl.  
DJM/ewg  
Customer No: 24949

Neil Teitelbaum  
Vice President, Intellectual Property  
JDS Uniphase Corporation  
3000 Merivale Road  
Ottawa, Ontario, Canada  
K2G 6N7

Tel: (613) 843 3000 Ext. 5784  
Fax: (613) 823 9957  
Email: neil.teitelbaum@jdsu.com